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United States of America
FEDERAL TRADE COMMISSION
 Washington, DC 20580

Division of Advertising Practices
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MEMO ENDORSED

September 9, 2021

VIA ECF

Hon. Louis L. Stanton, U.S.D.J.
 United States District Court
 Southern District of New York
 500 Pearl Street
 New York, NY 10007

RE: *FTC, et al. v. Quincy Bioscience Holding Co., Inc., et al.* (17-CV-00124-LLS)
 Plaintiffs' Request to Appear Telephonically at September 17, 2021 Pre-Motion
 Conference

Dear Judge Stanton:

Plaintiffs, the Federal Trade Commission ("FTC") and the People of the State of New York by Letitia James, Attorney General of the State of New York, respectfully request the Court's leave to appear telephonically at the pre-motion conference set for September 17, 2021 at 2:30 pm. Defendants intend to appear in person but do not oppose Plaintiffs' request.

Due to the widespread resurgence of COVID-19, New York County has been designated by the Centers for Disease Control and Prevention as experiencing "high" levels of community transmission of the disease. Accordingly, counsel would strongly prefer to avoid travel and public interaction in the area if at all possible. In addition, we note that the attorney who has been designated to argue the FTC's position at the September 17 pre-motion conference would need to travel to New York from Washington, D.C. While counsel are mindful that the Court is observing masking and other preventative protocols, travel is a high-risk activity for transmission of the disease.

In addition, the parties in this case have appeared telephonically in the past. In a prior telephonic status conference on December 14, 2020, the Court heard, among other things, oral argument on Defendants' request for clarification and/or reconsideration as to the Court's December 3, 2020 Order on the FTC's motion for a protective order. (Dkt. Nos. 149, 150). The telephonic medium did not present a hindrance for any of the parties.

Granted
 Louis L.
 Stanton
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The Honorable Louis L. Stanton
Page 2

September 9, 2021

For these reasons, and in light of the recent COVID-19 resurgence, we respectfully request that the Court allow Plaintiffs to appear telephonically at the September 17 pre-motion conference.

Respectfully,

/s/ Annette Soberats
Annette Soberats
Attorney
Federal Trade Commission

/s/ Kate Matuschak
Kate Matuschak
Assistant Attorney General
New York Office of the Attorney General

cc: All counsel of record (via ECF)